

Appln. No. S006.023.NPEUS
Amdt. Dated 31 Mar 2010
Reply to Office action of 15 Dec 2009

Amendments to the Drawings:

The attached sheet of drawings includes changes to FIG. 3A and FIG. 3B. This sheet, which includes FIG. 3A and FIG. 3B, replaces the original sheet including FIG. 3A and FIG. 3B.

Attachment: Replacement Sheet

REMARKS / ARGUMENTS

This amendment is in response to the non-final Office Action mailed 15 Dec 2009.

In the specification, paragraphs [0016], [0024], [0032], and [0036] to [0039] have been amended to correct minor editorial problems according to the Examiner's requirement. No new matter has been added.

In amended FIG. 3A and FIG. 3B, the recitation of "FIG. 3" is deleted to comply with the Examiner's requirement.

Claims 5, 8, 10 and 12 have been canceled. Claims 1-3 and 7 are currently amended. Claims 4 and 6 are original. Claim 9 is previously presented. Claim 11 is withdrawn and currently amended. Claims 13 to 16 have been added herein.

Applicants respectfully request reconsideration of the objection and rejection of record in view of the foregoing amendments and the following remarks.

Alleged Indefiniteness

A. Claims 1-10 and 12 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been amended to say "a resilient means radially disposed about a centre of the rolling guide enables the rolling guide to move eccentrically about an axis of the applicator". It should be clear as to which element is rotating with respect to which element from this description.

Claim 2 has been amended to say "a planar cross-section of the coupler end" as the element is firstly introduced. Claim 12 has been cancelled.

Alleged Anticipation

A. Claims 1-9 have been rejected under 35 U.S.C. 102(b) as anticipated by Wuelker (US patent 1,546,529 hereinafter D1).

1. The new independent claim 1 is novel over D1. D1 does not disclose a resilient means radially

disposed about a centre of the rolling guide enabling the rolling guide to move eccentrically about an axis of the applicator. In contrast, D1 discloses a resilient means that is not capable of causing any part of the frustoconically-shaped applicator (Figs. 1-2, "frusto-conical cylinder 11", l. 46 of D1) to move eccentrically. The resilient means refers to an "opening in cylinder 11 and a cap 25 that is shown to contact a threaded portion 22 of the stem 16" according to the Examiner's opinion on Page 5 of the present Office Action. In fact, all parts of the frusto-conical cylinder 11 have to rotate concentrically around the stem 16 when in use (see Figs. 1-2 of D1).

2. The new independent claim 1 is also novel over D2 (US 2,836,840 of Pratt). D2 does not disclose a resilient means radially disposed about a centre of the rolling guide enabling the rolling guide to move eccentrically about an axis of the applicator (Fig. 1, "paint roller 1", col. 1, l. 63-64 of D2). To the contrary, all parts of the paint roller 1, which include a guide member 6 and a cloth tape 14, have to rotate around an axis of the paint roller concentrically (see Fig. 1 of D2).

3. Dependent claims 2-4, 6, 7, 9 and 13-16 are new over D1 and D2 because they have incorporated the above-mentioned novel elements respectively by their dependencies.

Furthermore, amended claim 1 is unobvious over both D1 and D2 with the reasons as set forth below.

1. The new independent claim 1 is inventive over both the cited documents D1 and D2. In particular, neither of the cited documents D1 and D2 has individually or in combination taught the above-mentioned novel elements that differentiate the new claim 1 from the prior art.
2. The differentiating elements of new claim 1 provide a resilient means radially disposed about a centre of the rolling guide enabling the rolling guide to move eccentrically about an axis of the applicator.
3. An objective technical problem of the differentiating elements of the new claim 1 is how to paint a depression on an uneven wall surface with a paint roller.
4. The technical effect of the differentiating elements is that a rolling guide 280 can be shifted eccentrically such that a portion of the paint absorbable member 252 neighbouring the rolling guide 280 can extend to the depression when the paint absorbable member 252 is compressed sufficiently (see Fig. 6, Para. [0040] of the present specification).

Neither the fresh insight to the technical problem, nor the technical effect of the differentiating elements is shown in any of the cited prior art documents. Furthermore, none of the cited documents has provided, or even suggested on the solution of the new claim 1. Reading D1 and D2,

Appln. No. S006.023.NPEUS
Amdt. Dated 31 Mar 2010
Reply to Office action of 15 Dec 2009

the skilled person is not motivated to enable the rolling guide to move eccentrically about an axis of the applicator. The polish applier of D1 and the paint roller 1 of D2 only show two common axes of rotation for all their elements respectively.

Hence, the amended independent claim 1 is unobvious over both the cited documents D1 and D2.

Dependent claims 2-4, 6, 7, 9 and 13-16 are unobvious over D1 and D2 because they have incorporated the above-mentioned inventive elements of amended claim 1.

Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the Office Action of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants respectively request rejoinder of the non-elected and withdrawn claims when the elected claims are found allowable.

Respectfully submitted,
EAGLE IP LIMITED



Jacqueline C. Lui
Registration No. 44,214
Date:

Attachment <replacement sheet>

<00046435-DL>

